

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

William Buck Scott,)	C/A No. 9:09-2506-JFA-BM
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Major Joey Johnson; Ms. NFN Myers,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff, William Buck Scott, was a detainee at J. Reuben Long Detention Center in South Carolina at the time this action was filed pursuant to 42 U.S.C. § 1983.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that the complaint should be dismissed for failure to prosecute, in accordance with Rule 41(b) of the Federal Rules of Civil Procedure. The Magistrate Judge notes that the plaintiff was advised to keep the court apprised of his current address and that the plaintiff failed to do so when an order of the court mailed to the plaintiff was returned to the Clerk by the U.S. Postmaster.


The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on February 17, 2010. However, the plaintiff did not file any objections to the Report within the time limits prescribed. In fact,

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

on March 1, 2010, the copy of the Report mailed to the plaintiff was returned from the U.S. Postmaster marked "Return to Sender - Refused - Unable to Forward."

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation proper and incorporated herein by reference. Accordingly, this action is dismissed with prejudice for failure to prosecute under Rule 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." The signature is written in a cursive, flowing style.

Joseph F. Anderson, Jr.
United States District Judge

March 24, 2010
Columbia, South Carolina